

# Naples City Council

## April 14, 2011

### Minutes

The regularly scheduled meeting of the Naples City Council was held April 14, 2011, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

#### ***DATE, TIME & PLACE OF MEETING***

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, and Dan Olsen. Kenneth Reynolds was absent.

#### ***COUNCIL MEMBERS ATTENDING***

Others attending were Jim Harper, Vance King, Connie Patton, Neil Cathey, Robin O'Driscoll, Mark Watkins, Chris Hoem, Craig Blunt and Nikki Kay.

#### ***OTHERS ATTENDING***

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation.

#### ***OPENING CEREMONY***

Robert Hall **moved** to approve the agenda as presented. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

#### ***AGENDA APPROVED***

Mayor Baker asked for approval of the minutes of March 24, 2011. Gordon Kitchen **moved** to approve the minutes of March 24, 2011. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

#### ***MINUTES APPROVED***

Councilman Long wanted to know if any of the surplus items from the City were sold at the auction. Jim Harper reported that the Ranger was sold but he did not know about the other items.

#### ***FOLLOW UP ITEMS FROM PREVIOUS MEETING***

Connie Patton presented the bills in the amount of \$53,720.75 and requested approval to pay them. Dennis Long **moved** to accept the amount of \$53,720.75. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

#### ***APPROVAL OF THE BILLS***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent

Gordon Kitchen            Aye

**City Prosecutor** - Rachelle Palmer submitted a travel request to attend the City Prosecutors Conference in Salt Lake City. The travel amount requested was \$396.00. Robert Hall **moved** to approve the travel in the amount of \$396. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

### ***TRAVEL APPROVAL***

**Road Department** - Jim Harper asked the Council for approval to send Szeth Simmons to Price for gravel road maintenance and roadside vegetation maintenance training. The training and travel amount requested was \$294. Dan Olsen **moved** to approve the amount of \$294. Dennis Long **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

Robin O'Driscoll from the Uintah Recreation District presented a bid for ball park fencing at the new practice field at the Naples Park. Robin O'Driscoll stated they received one bid in the amount of \$35,875 which includes the fencing, back stop addition, concrete work, landscape and irrigation repair and thirty days maintenance. Neil Cathey arrived at this time and gave Council members the information from the bid. Robert Hall **moved** to approve payment to the Recreation District in the amount of \$35,875 for fencing. Dan Olsen **seconded** the motion. The motion passed with the following vote:

### ***BALL PARK FENCING BID***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

Councilman Hall asked Mr. Cathey how soon the project

would begin. Mr. Cathey said he thought the contractor would like to start on Monday. Councilman Hall wanted Mr. Cathey to know they appreciate how good the park looks.

Neil Cathey told the Council that the signs are ready to be ordered for the park if the Council approves the layout he gave them. Councilman Kitchen said he suggested to Neil that they move the two regulations regarding dogs to the top of the list. Mr. Cathey said it would take two to three days for the signs to be made. Chief Watkins wanted to know if his officers could continue to train their K-9 dogs at the park or if this would cause a problem. Mr. Cathey said he has noticed that the officers always try and make sure no one is around when they do their training. Council members felt the officers should be allowed to use the park for the K-9 training. Mayor Baker asked Mr. Cathey to move forward with the signs and get them up. Mayor Baker thanked Robin and Neil for coming.

### ***REGULATORY SIGNS AT CITY PARK***

Vance King with CIVCO Engineering came before the Council to discuss an issue with a concrete sub contractor for the 2500 South irrigation project. Mr. King said Eric Hartle is the concrete sub contractor. Mr. King said the diversion box for the Pehacek line was bid with the screw gates, frames and screens as a lump sum with everything listed in the details. Mr. King said there was a miscommunication between Burdick and Mr. Hartle and the price that Mr. Hartle gave to do the box was just for concrete. Mr. Hartle did not include the screw gate, frames, or screens. Mr. King said Mr. Hartle bid \$12,000 for the box and the other bids came in at \$22,000 and \$23,000. Mr. King said he thought this was Mr. Hartle's first time bidding on this type of project. Councilman Kitchen wanted to know if Burdick bid this portion of the project or if they just used Mr. Hartle's bid as part of their bid. Mr. King said the City is not responsible for the added cost if they choose not to be. Mr. King said Mr. Hartle is in a bind with the way things have happened and is asking the City to consider covering the cost for the extra material. Councilman Kitchen wanted to know if Burdick should be covering this instead of the City. Mr. King said Burdick feels bad but will not be covering the cost of the error. Council members wanted to keep a good relationship with each party involved and discussed maybe covering half the cost of the materials and allow for \$3,000. Councilman Long wanted to know what Mr. King thought. Mr. King said he feels for Mr. Hartle and if you compare the other bids of \$22,000 and \$23,000 those were twice as much as Mr. Hartle's bid and he

### ***2500 SOUTH IRRIGATION PROJECT***

thought it was an honest mistake. Councilman Olsen said Burdick Materials should have questioned the low bid. Mr. King said they are looking at that in their internal process.

After the discussion regarding Mr. Hartle's bid for concrete work on the 2500 South irrigation project, Robert Hall **moved** to fund up to \$3,000 on a change order for material on the Pehacek diversion box. Dan Olsen **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

Mr. King told the Council his dimensions for the screen on the diversion box were not totally correct. Mr. King said when he drew up the dimensions he didn't have an idea of what the screw gates were. He put in a three-inch gap to allow for the gate and it will need more than that. He said they will need to modify it and it might come back as a change order. Mr. King told Mr. Hartle if the Council gives him the compensation that there wouldn't be any change order for the modification. Mr. King said he didn't put a disclaimer about verifying with the manufacturer. Mayor Baker wanted to know if this was the screen or the grate. Mr. King said it is the clean-off screen. Councilman Kitchen told Mr. King he should have mentioned the change before the Council made their decision. Mr. King said the gates are in but they are still putting on the screen. Craig said the gate won't function until the extensions are installed.

Mayor Baker wanted to know how soon the fencing will be put back in around the Hughes property. Mr. King said they should be able to put something up until they get the fence in.

Craig Blunt asked for Council approval to pay B.H.I. for work completed to date on the underground utilities along 2500 South. Craig said this is payment for running the underground wires to the homes and they are two-thirds of the way done. The invoice submitted by B.H.I. was \$128,192.96. Robert Hall **moved** to approve the release of funds to B.H.I. in the amount of \$128,192.96. Gordon Kitchen **seconded** the motion. The motion passed with the

***CHANGE ORDER #4 FOR  
2500 SOUTH IRRIGATION  
PROJECT***

***APPROVAL TO PAY B.H.I.  
FOR UNDERGROUND  
UTILITY***

following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

Jim Harper asked the Council to approve payment for an operator and equipment to blade and smooth 1500 South and 2500 South. Jim said they used Burdick for the first day but they were not able to keep up with the work. Jim said they called B.H.I. to come the second day and finish up the project. Jim said they owe Burdick for ten hours the first day and thirteen hours to B.H.I for the second day. Jim did not have the invoices. Council asked Jim to bring those back to Council and they would approve them at that time.

***APPROVAL TO EXPEND  
FUNDS FOR 1500 SOUTH  
AND 2500 SOUTH GRADER  
WORK***

Craig said the people on 1500 South and the dugway have asked if they could get some the milled asphalt from 2500 South. Craig said if the Council approved that he would recommend selling it at \$25 per yard. Mayor Baker wanted to know if there was a place the City could stock pile the asphalt. Mayor asked Jim and Craig to look for a place where they might be able to stock pile it.

Jim Harper asked the Council for approval to purchase a transition seal for the sweeper. Jim said the seal has worn over time and needs replaced. Jim said the cost of the transition seal was \$650. Mayor Baker said if Jim had the money in his budget he should order two. Dennis Long **moved** to approve up to \$1,300 for the purchase of two seals. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

***PURCHASE SWEEPER  
PART***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

Chief Watkins approached the Council about purchasing equipment using grant funds he received. Chief Watkins said he would like to purchase a new taser (\$829), cordless mics for hand-held radios (\$1,180), and a surveillance camera (\$3,250). Chief Watkins said he underbid the items and would need \$212 from his equipment budget on top of the

***POLICE EQUIPMENT  
PURCHASE - GRANT  
PURCHASE***

grant funds. Chief Watkins said he would purchase the items and would be reimbursed through the grant. Robert Hall **moved** to approve the purchases, including the \$212 out of the budget. Gordon Kitchen **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

Chief Watkins reminded the Council about the purchase of the smaller updated VidMics that he recently obtained through a grant. He said, with that purchase, he is now left with the larger outdated mics. Chief Watkins said most departments are going with the smaller VidMics and no one has shown much interest in the older cameras. Chief Watkins said he purchased the older ones at \$650 four years ago and has only had one department show an interest in them and they were in Chocoy, NC. Mayor Baker said to just box them up and ask the other department to pay the shipping. Dennis Long **moved** to approve the surplus of the VidMics and to ship them to the other department. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

### ***SURPLUS POLICE EQUIPMENT***

Council members were given two bids for a new laptop computer for the Council room. Nikki Kay explained that Chris Hoem obtained the bids. The low bid was for \$650. Mayor Baker asked Chris about a docking station for the computer. Chris said he did not check into that. After some discussion about the need for a docking station, Gordon Kitchen **moved** to approve up to \$1,200 for the computer with a docking station if needed. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

### ***PURCHASE OF LAPTOP COMPUTER***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Absent
Gordon Kitchen	Aye

Craig Blunt asked the Council to approve upgrading the computers at the office to Windows Pro 7. This item was placed on the agenda as an upgrade to the Word software. Mayor Baker said some people have experienced a lot of

### ***SOFTWARE UPGRADE TO WINDOWS 7***

problems with upgrading from Windows Vista and he told Craig he might experience more problems than anticipated. Gordon Kitchen **moved** to table the matter until Craig could obtain more information. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Chris Hoem asked the Council about hiring an intern for the summer, part time, with no benefits. Council Kitchen wanted to know why. Chris said he thought he could be more productive if he had someone to bounce ideas off of. Chris said Brandy and Craig have their own responsibilities and are pretty busy. Chris said there is a lot they could do to be prepared for development. Chris said this would give someone a chance to work and gain experience which would be a benefit to that individual. Councilman Kitchen wanted to know what projects he has that would require someone's help. Chris stated he would like to go through the Land Use Ordinance chapter by chapter and he could speed it up if he had some help. He felt like now would be the time to prepare for a boom, if they were to have another one. Mayor Baker asked Chris to check with the college or the extension office and see if there is anyone that might be willing to do it for credits or for the experience. Chris said he just thought he would get a better response if they were to be paid. No action was taken on this matter.

***INTERN FOR CITY  
PLANNER***

Craig Blunt wanted the Council to know about a meeting being put on by the Office of the Utah State Auditor for Special Service District Boards. Craig said attending this training would satisfy the required Open Meetings training and the request of the Risk Management team at Utah Local Governments Trust. The meeting will be held on April 27, 2011 from 7:00 p.m. to 9:00 p.m.

***NOTICE OF UP COMING  
MEETING***

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 9:00 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 28<sup>th</sup> DAY OF APRIL 2011

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_